

REMARKS

Claims 1-21 are pending in the present application. Claims 1, 3-6, 8-11, 14, 16, and 18-21 have been amended. Claim 12 has been canceled. Claims 16 and 18-21 have been amended solely to clarify the subject matter claimed.

Amendment or cancellation of the originally filed claims should in no way be construed as an acquiescence, narrowing, or surrender of any subject matter. The amendments are being made not only to point out with particularity and to claim the present invention, but also to expedite prosecution of the present application. Applicants reserve the option to prosecute the originally filed claims further, or similar ones, in the instant or a subsequent patent application.

Further, silence with regard to any of the Examiner's rejections is not an acquiescence to such rejections. Specifically, silence with regard to Examiner's rejection of a dependent claim, when such claim depends from an independent claim that Applicants consider allowable for reasons provided herein, is not an acquiescence to such rejection of the dependent claim(s), but rather a recognition by Applicant that such previously lodged rejection is moot based on Applicants remarks and/or amendments relative to the independent claim (that Applicants consider allowable) from which the dependent claim(s) depends.

Objection to Information Disclosure Statement

The Examiner has noted that the Information Disclosure Statement filed January 17, 2002 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent and each publication which caused it to be listed. Applicants note that these copies were filed with the Statement on November 2, 2001, and include herein a copy of the return postcard indicating receipt by the Patent Office of the references. Further, Applicants filed a Supplemental Information Disclosure Statement under 37 CFR 1.97(b)(3) on September 12, 2002, which has not been entered into the record nor considered by the Examiner. Applicants have further filed herewith, duplicate Information Disclosure Statements including duplicate copies of cited references, and include copies of the return postcards from the Patent Office indicating timely receipt.

Objection to Drawings

The Examiner has objected to the drawings under 37 CFR 1.83(a) because they fail to show numerals 14a and 28 as described in the specification. Applicants include in this response replacement figures that include numerals 14a and 28. Accordingly, Applicants respectfully request withdrawal of this objection.

Rejection of claims 3-11 under 35 U.S.C. § 112 second paragraph

Claims 3-11 stand rejected under U.S.C § 112 second paragraph as being indefinite. Claims 3-5, and 8-11 have been amended to recite ‘twist angle between the respective ends of the adjacent sections’, as suggested by the Examiner. This amendment is solely to clarify the twist angle, and not limiting in any way.

Claims 6 and 18 have been amended to recite ‘fiber orientation is maintained along the plurality of sections separated by said twist’, solely to clarify that the fiber orientation is substantially linear between the twists, as shown in exemplary Figure 1. This amendment is solely to clarify the fiber orientation, and not limiting in any way. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Rejection of Claims 1-11 and 13-21 under 35 U.S.C. §102(b)

Claims 1-11 and 13-21 stand rejected under 35 U.S.C. §102(b), as being anticipated by U.S. Patent 5,822,487 to Evans et al. The Examiner asserted that Evans “discloses [a] method of reducing linear birefringence in an optical fiber comprising subdividing [a] length of optical fiber into a plurality of sections.” Claim 1 has been amended to recite a method that includes heating a length of the optical fiber. Claim 13 has been amended to recite a twist formed by heating the optical fiber. By these amendments, these claims now include the subject matter of originally filed claim 12. As the Examiner noted, Evans et al. does not teach or suggest a method of reducing effects of linear birefringence in an optical fiber using melting or heating of fiber, nor does it teach or suggest an optical fiber with a twist formed by melting. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Rejection of claims 1-21 under 35 U.S.C. §102(b)

Claims 1-21 stand rejected under 35 U.S.C. §102(b), as being anticipated by WO 98/53352. The Examiner asserted that WO '352 "discloses [a] method of reducing linear birefringence in an optical fiber comprising subdividing [a] length of optical fiber into a plurality of sections, including between the sections a twist having a predetermined sense of rotation and twist angle." The Examiner further asserts that "fusion splicing (and therefore use of heat)" is disclosed in WO '352. As the Examiner acknowledged, WO '352 teaches only an optical fiber that contains different slices of fiber joined by splicing. Claim 1 has been amended to recite a method that includes heating a length of the optical fiber and introducing a twist in the optical fiber. Claim 13 has been amended to recite a twist formed by heating the optical fiber. Applicants assert that WO '352 does not teach or suggest a method of reducing effects of linear birefringence in an optical fiber using melting or heating of fiber, nor does it teach or suggest an optical fiber with a twist formed by heating. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Prior Art Made of Record

The Examiner indicates that Applicants should consider further art made of record. US 6,233,371 to Kim appears to be the patent equivalent of WO '352 discussed above. US Patent 6,389,185 to Meise has a filing date after the filing date of the instant application. US 6,519,404 Patent to Yoshida, has a publication date and a 102(e) date after the filing date of the instant application. Further, US 5,418,811 to Hart et al discloses only heating a preform, not an optical fiber, and applying torque while drawing the preform to impress a spin.

CONCLUSION

In view of the foregoing remarks, Applicants submit that the pending claims are in condition for allowance. Early and favorable reconsideration is respectfully solicited. The Examiner may address any questions raised by this submission to the undersigned at 617-832-1000. Should a further extension of time be required other than provided for, Applicant hereby

petitions for same and request that the extension fee and any other fee required for timely consideration of this application be charged to Deposit Account, **No. 06-1448**.

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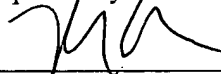
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Respectfully Submitted,



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